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6                   UNITED STATES DISTRICT COURT FOR THE  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

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10                   UNITED STATES OF AMERICA,  
11                   Plaintiff,  
12                   v.  
13  
14                   DESMOND DAVID-PITTS,  
15                   Defendant.

NO. MJ20-547  
MOTION FOR DETENTION

17                   The United States moves for pretrial detention of the Defendant, pursuant to  
18 U.S.C. 3142(e) and (f)

19           1.     **Eligibility of Case.** This case is eligible for a detention order because this  
20 case involves (check all that apply):

- 21            Crime of violence (18 U.S.C. 3156).  
22            Crime of Terrorism (18 U.S.C. 2332b (g)(5)(B)) with a maximum sentence  
23           of ten years or more.  
24            Crime with a maximum sentence of life imprisonment or death.  
25            Drug offense with a maximum sentence of ten years or more.

- 1       Felony offense and defendant has two prior convictions in the four  
2      categories above, or two State convictions that would otherwise fall within  
3      these four categories if federal jurisdiction had existed.
  
- 4       Felony offense involving a minor victim other than a crime of violence.
  
- 5       Felony offense, other than a crime of violence, involving possession or use  
6      of a firearm, destructive device (as those terms are defined in 18 U.S.C.  
7      921), or any other dangerous weapon.
  
- 8       Felony offense other than a crime of violence that involves a failure to  
9      register as a Sex Offender (18 U.S.C. 2250).
  
- 10      Serious risk the defendant will flee.
  
- 11      Serious risk of obstruction of justice, including intimidation of a  
12      prospective witness or juror.

13     2. **Reason for Detention.** The Court should detain defendant because there  
14      are no conditions of release which will reasonably assure (check one or both):

- 15      Defendant's appearance as required.
  
- 16      Safety of any other person and the community.

17     3. **Rebuttable Presumption.** The United States will invoke the rebuttable  
18      presumption against defendant under 3142(e). The presumption applies because:

- 21      Probable cause to believe defendant committed an offense listed in  
22      18 U.S.C. § 2332b(g)(5)(B).

23      **Legal authority:** The Bail Reform Act, at Title 18, United States Code,  
24      Section 3142(e)(3)(C), provides a rebuttable presumption for detention in  
25      cases like the instant one, where a defendant is charged with an offense  
26      listed in 18 U.S.C. § 2332b(g)(5)(B). Arson, in violation of Title 18,  
27      United States Code, Section 844(i), is such an offense.

4. **Time for Detention Hearing.** The United States requests the Court conduct the detention hearing:

- At the initial appearance
  - After a continuance of \_\_\_\_ days (not more than 3)

DATED this 27th day of August, 2020.

Respectfully submitted,

BRIAN T. MORAN  
United States Attorney

/s Todd Greenberg  
**TODD GREENBERG**  
Assistant United States Attorney